



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 25, 1993

Mr. Dale Rogers
3529 East Green Hills Drive
Sandy, Utah 84093

Dear Mr. Rogers:

Re: Notice of Intention to file Large Mining Notice of Intention, Pitchfork Springs,
S/027/033, Millard County, Utah

This letter is sent in response to your May 24, 1993 visit to our offices. During your visit you spoke with Joelle Burns and Tony Gallegos regarding state permitting requirements and filing of your 1992 annual report form. On April 26, and May 14, 1993, we received letters from the Bureau of Land Management (BLM) regarding the mining activities being conducted on your Multicolor Green Claims, located in the Pitchfork Springs area (Section 35, T25S, R13W), SLBM, Millard County, Utah. The BLM has requested that you now submit a Plan of Operation for continued operations on these claims. Through recent discussions with the BLM, it is our understanding that the surface disturbances associated with your operations, may have exceeded the 5-acre threshold for maintaining a small mining operation status.

If you have exceeded the 5-acre threshold, then State mining law and rules also require that you file a Plan of Operations or Large Mine Operations Notice of Intent with this agency. The Division and the BLM have a joint agency Memorandum of Understanding (MOU) that should eliminate the need for you to complete two different applications. However, if you file a Plan of Operations with the BLM, and there is associated mining-related disturbance that has or will affect State leased land and/or private land, this information must also be included in the mining and reclamation plan filed with this agency. A Large Mine Operations Notice of Intent (FORM MR-LMO), a reclamation surety and Reclamation Contract forms, were given to you during your visit to this office.

As you were informed by my staff, a reclamation surety must be calculated and posted for mines exceeding 5 acres of surface disturbance. We will work jointly with the BLM in establishing the appropriate surety amount. We will not require a separate surety unless our estimate exceeds the amount required by the BLM.



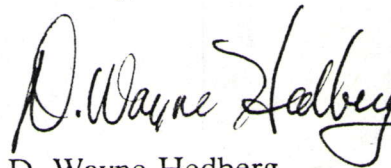
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Prior approval from the BLM and this Division is required before mining operations can be legally conducted on lands outside of the 5-acre area designated under the originally accepted BLM notice or state Small Mining Operation permit application. An operator conducting mining operations outside of his 5-acre permit area, may be subject to applicable state penalties and/or enforcement action, if his actions are found in violation of the Utah Mined Land Reclamation Act.

Thank you for coming into our office to discuss the outstanding 1992 annual report filing requirements. Please return the annual report form (form MR-AR also given to you) by June 4, 1993. I'm sorry I was not personally available to discuss the additional concerns as outlined above with you. Please let us know your current and future mining plans by completing the appropriate forms and filing copies with this office and the BLM as soon as possible. It is possible that a joint agency inspection may need to be scheduled to clarify all areas of concern/confusion.

Thank you for your prompt attention to this matter. Should you have any questions regarding these requirements, please do not hesitate to contact me.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb

cc: Dave Henderson, BLM, Warm Springs RA (UTU-070674)
Jerry Mansfield, State Lands
Lowell Braxton, DOGM

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